

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                    )  
                                  )  
vs.                            )                           Case No. 4:16CR00364 JAR  
                                  )  
                                  )  
MERWIN SMITH,                )  
                                  )  
Defendant.                    )

**MEMORANDUM AND ORDER**

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Shirley Padmore Mensah (ECF No. 32). On November 26, 2018, Defendant filed a Motion to Suppress Evidence and Statements (ECF No. 25). Magistrate Judge Mensah recommends the Court deny the Motion to Suppress Evidence and Statements.

Pursuant to 28 U.S.C. § 636(b), these matters were referred to United States Magistrate Judge Mensah, who filed a Report and Recommendation on January 10, 2019 (ECF No. 32). The Magistrate Judge recommends that the Motion to Suppress Statements and Evidence (ECF No. 25) be denied. Neither party has filed objections or otherwise responded to the Report and Recommendation. After de novo review of this matter, this Court adopts the Magistrate Judge's recommendation.

Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge [32] is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

**IT IS FURTHER ORDERED** that the Motion to Suppress Statements and Evidence [25] is **DENIED**.

Dated this 6<sup>th</sup> day of February, 2019.

  
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JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE